

United States Bankruptcy Court  
Middle District of Pennsylvania

In re:  
Joseph Gary Ruby  
Debtor

Case No. 17-05030-RNO  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0314-5

User: PRatchfor  
Form ID: pdf002

Page 1 of 1  
Total Noticed: 13

Date Rcvd: Mar 08, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 10, 2018.

db Joseph Gary Ruby, 108 Crestwood Ln, Archbald, PA 18403-1995  
aty +Peoples Security Bank & Trust Co. c/o James T. Sho, 600 Third Avenue,  
Kingston, PA 18704-5815  
4999704 Albertelli Law, PO Box 23028, Tampa, FL 33623-2028  
5019526 +FORD MOTOR CREDIT COMPANY, SOLOMON VIGH PA, PO BOX 3275, TAMPA FL 33601-3275  
4999703 Law Office of Brian E Manning, 512 S Blakely St, Dunmore, PA 18512-2237  
5004584 +NATIONSTAR MORTGAGE LLC, PO BOX 619096, DALLAS TX 75261-9096  
(address filed with court: Nationstar Mortgage LLC, Bankruptcy Department, P.O. Box 619096,  
Dallas, TX 75261-9741)  
4999706 Nationstar Mortgage, LLC, 8950 Cypress Waters Blvd, Coppell, TX 75019-4620  
4999707 Peoples Security Bank & Trust, 82 Franklin Ave, Hallstead, PA 18822-9780  
4999702 Ruby Joseph Gary, 108 Crestwood Ln, Archbald, PA 18403-1995

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

4999705 E-mail/Text: cio.bncmail@irs.gov Mar 08 2018 19:10:38 INTERNAL REVENUE SERVICE,  
P O Box 21126, Philadelphia, PA 19114  
4999867 +E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Mar 08 2018 19:11:54  
PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021  
5002367 E-mail/Text: RVSVCBICNOTICE1@state.pa.us Mar 08 2018 19:10:50  
Pennsylvania Department of Revenue, Bankruptcy Division PO Box 280946,  
Harrisburg, PA 17128-0946  
5016593 E-mail/Text: bkdepartment@rtresolutions.com Mar 08 2018 19:11:11  
Real Time Resolutions, Inc., 1349 Empire Central Drive, Suite 150,  
Dallas, Texas 75247-4029

TOTAL: 4

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr Nationstar Mortgage LLC  
cr\* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021

TOTALS: 1, \* 1, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address  
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Mar 10, 2018

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 8, 2018 at the address(es) listed below:

Brian E Manning on behalf of Debtor 1 Joseph Gary Ruby BrianEManning@comcast.net,  
G17590@notify.cincompass.com  
Charles J DeHart, III (Trustee) dehartstaff@pamd13trustee.com, TWecf@pamd13trustee.com  
James Warmbrodt on behalf of Creditor U.S. Bank National Association, As Trustee et al  
bkgroup@kmlawgroup.com  
James T. Shoemaker on behalf of Attorney Peoples Security Bank & Trust Co. c/o James T.  
Shoemaker, Esq. jshoemaker@hkqpc.com  
United States Trustee ustpreion03.ha.ecf@usdoj.gov

TOTAL: 5

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**IN RE:**

**JOSEPH GARY RUBY**

**Debtor**

**CHAPTER 13**

**CASE NO. -17-05030**

☒ **ORIGINAL PLAN**  
☐ **THE AMENDED PLAN**

**NO Motions to Avoid Liens**  
**NO Motions to Value Collateral**

**CHAPTER 13 PLAN**

**NOTICES**

Debtors must check one box on each line to state whether or not the plan includes each of the following items. If an item is checked as "Not Included" or if both boxes are checked or if neither box is checked, the provision will be ineffective if set out later in the plan.

1	The plan contains nonstandard provisions, set out in § 9, which are not included in the standard plan as approved by the U.S. Bankruptcy Court for the Middle District of Pennsylvania.	<input checked="" type="checkbox"/> Included	<input type="checkbox"/> Not Included
2	The plan contains a limit on the amount of a secured claim, set out in § 2.E, which may result in a partial payment or no payment at all to the secured creditor.	<input type="checkbox"/> Included	<input checked="" type="checkbox"/> Not Included
3	The plan avoids a judicial lien or nonpossessory, nonpurchase-money security interest, set out in § 2.G.	<input type="checkbox"/> Included	<input checked="" type="checkbox"/> Not Included

**YOUR RIGHTS WILL BE AFFECTED**

READ THIS PLAN CAREFULLY. If you oppose any provision of this plan, you must file a timely written objection. This plan may be confirmed and become binding on you without further notice or hearing unless a written objection is filed before the deadline stated on the Notice issued in connection with the filing of the plan.

**1. PLAN FUNDING AND LENGTH OF PLAN.**

**A. Plan Payments From Future Income**

1. To date, the Debtor paid \$0.00 (enter \$0 if no payments have been made to the Trustee to date). Debtor shall pay to the Trustee for the remaining term of the plan the following payments. If applicable, in addition to monthly plan payments, Debtor shall

make conduit payments through the Trustee as set forth below. The total base plan is \$23,845.58, plus other payments and property stated in § 1B below:

Start Mm/yyyy	End Mm/yyyy	Plan Payment	Conduit Payment	Total Monthly Payment	Total Payment Over Plan Tier
03/2018	02/2023	397.43	0.00	397.43	23,845.58
				<b>Total Payments</b>	<b>\$23,845.58</b>

2. If the plan provides for conduit mortgage payments, and the mortgagee notifies the Trustee that a different payment is due, the Trustee shall notify the Debtor and any attorney for the Debtor, in writing, to adjust the conduit payments and the plan funding. Debtor must pay all post-petition mortgage payments that come due before the initiation of conduit mortgage payments.

3. Debtor shall ensure that any wage attachments are adjusted when necessary to conform to the terms of the plan.

4. CHECK ONE: ☒ Debtor is at or under median income. *If this line is checked, the rest of § 1.A.4 need not be completed or reproduced.*

**B. Additional Plan Funding From Liquidation of Assets/Other**

1. The Debtor estimates that the liquidation value of this estate is . (Liquidation value is calculated as the value of all non-exempt assets after the deduction of valid liens and encumbrances and before the deduction of Trustee fees and priority claims.) *Check one of the following two lines.*

☒ No assets will be liquidated. *If this line is checked, the rest of § 1.B need not be completed or reproduced.*

**2. SECURED CLAIMS**

**A. Pre-Confirmation Distributions.** *Check one.*

☒ None. *If none is checked the rest of §2.A need not be completed or reproduced.*

**B. Mortgages (Including Claims Secured by Debtor's Principal Residence) and Other Direct Payments by Debtor.** *Check one.*

☐ None. *If "None" is checked, the rest of § 2.B need not be completed or reproduced.*

☒ Payments will be made by the Debtor directly to the creditor according to the original contract terms, and without modification of those terms unless otherwise agreed to by the contracting parties. All liens survive the plan if not avoided or paid in full under the plan.

Name of Creditor	Description of Collateral	Last 4 Digits of Account Number
Peoples National Bank	2012 Chrysler 200	9780
Ford Motor Credit	2014 Chrysler 200	5069

**C. Arrears (Including, but not limited to, claims secured by Debtor's principal residence).** *Check one.*

☒ None. *If "None" is checked, the rest of § 2.C need not be completed or reproduced.*

**D. Other secured claims (conduit payments and claims for which a § 506 valuation is not applicable, etc.)**

☒ None. *If "None" is checked, the rest of § 2.D need not be completed or reproduced.*

**E. Secured claims for which a § 506 valuation is applicable.** *Check one.*

☒ None. *If "None" is checked, the rest of § 2.E need not be completed or reproduced.*

**F. Surrender of Collateral.** *Check one.*

☒ None. *If "None" is checked, the rest of § 2.F need not be completed or reproduced.*

**G. Lien Avoidance.** *Do not use for mortgages or for statutory liens, such as tax liens. Check one.*

☒ None. *If "None" is checked, the rest of § 2.G need not be completed or reproduced.*

### **3. PRIORITY CLAIMS.**

**A. Administrative Claims**

1. Trustee's Fees. Percentage fees payable to the Trustee will be paid at the rate fixed by the United States Trustee.
2. Attorney's fees. Complete only one of the following options:
  - a. In addition to the retainer of \$1,500.00 already paid by the Debtor, the amount of \$2,810.00 in the plan. This represents the unpaid balance of the presumptively reasonable fee specified in L.B.R. 2016-2(c); or
  - b. per hour, with the hourly rate to be adjusted in accordance with the terms of the written fee agreement between the Debtor and the attorney. Payment of such lodestar compensation shall require a separate fee application with the compensation approved by the Court pursuant to L.B.R. 2016-2(b).

3. Other. Other administrative claims not included in §§ 3.A.1 or 3.A.2 above. Check one of the following two lines.

☒ None. If "None" is checked, the rest of § 3.A.3 need not be completed or reproduced.

**B. Priority Claims (including, but not limited to, Domestic Support Obligations other than those treated in § 3.C below).** Check one of the following two lines.

☐ None. If "None" is checked, the rest of § 3.B need not be completed or reproduced.

☒ Allowed unsecured claims, including domestic support obligations, entitled to priority under § 1322(a) will be paid in full unless modified under § 9.

Name of Creditor	Estimated Total Payment
Internal Revenue Service	\$18,867.80

**C. Domestic Support Obligations assigned to or owed to a governmental unit under 11 U.S.C. §507(a)(1)(B).** Check one of the following two lines.

☒ None. If "None" is checked, the rest of § 3.C need not be completed or reproduced.

**4. UNSECURED CLAIMS**

**A. Claims of Unsecured Nonpriority Creditors Specially Classified.** Check one of the following two lines.

☒ None. If "None" is checked, the rest of § 4.A need not be completed or reproduced.

**B. Remaining allowed unsecured claims will receive a pro-rata distribution of funds remaining after payment of other classes.**

**5. EXECUTORY CONTRACTS AND UNEXPIRED LEASES.** Check one of the following two lines.

☒ None. If "None" is checked, the rest of § 5 need not be completed or reproduced.

**6. VESTING OF PROPERTY OF THE ESTATE.**

**Property of the estate will vest in the Debtor upon**

*Check the applicable line:*

- ☒ plan confirmation.
- ☐ entry of discharge.
- ☐ closing of case.

**7. DISCHARGE: (Check one)**

- ☒ The debtor will seek a discharge pursuant to § 1328(a).
- ☐ The debtor is not eligible for a discharge because the debtor has previously received a discharge described in § 1328(f).

**8. ORDER OF DISTRIBUTION:**

If a pre-petition creditor files a secured, priority or specially classified claim after the bar date, the Trustee will treat the claim as allowed, subject to objection by the Debtor.

Payments from the plan will be made by the Trustee in the following order:

- Level 1: Adequate protection payments.
- Level 2: Debtor's attorney's fees.
- Level 3: Domestic Support Obligations.
- Level 4: Priority claims, pro rata.
- Level 5: Secured claims, pro rata.
- Level 6: Specially classified unsecured claims.
- Level 7: Timely filed general unsecured claims.
- Level 8: Untimely filed general unsecured claims to which the Debtor has not objected.

**9. NONSTANDARD PLAN PROVISIONS**

**Include the additional provisions below or on an attachment. Any nonstandard provision placed elsewhere in the plan is void. (NOTE: The plan and any attachment must be filed as one document, not as a plan and exhibit.)**

- **The Debtor anticipates entering into a loan modification agreement with Nationstar Mortgage. The application and approval process is ongoing at this time.**

Dated: 2/8/2018

/s/ Brian E. Manning  
Attorney for Debtor

/s/ Joseph Gary Ruby  
Debtor

By filing this document, the debtor, if not represented by an attorney, or the Attorney for Debtor also certifies that this plan contains no nonstandard provisions other than those set out in § 9.